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6

7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 OAKLAND VENUE

10 UNITED STATES OF AMERICA) Case No: CR09-00573SBA
11 Plaintiff,)
12 Vs.) STIPULATION AND ORDER
13 FANG DING, et al.) CONTINUING CHANGE OF PLEA
14 Defendant) HEARING AND EXCLUDING TIME
15

16 Plaintiff, by and through its attorney of record, and defendants, by and through
17 their attorney of record, hereby stipulate and ask the Court to find as follows:

18 1. A Change of Plea hearing is currently scheduled for 11:00 a.m. on Tuesday
19 March 2, 2010.

20 2. The parties request that this hearing be continued until 11:00 a.m. on
21 Tuesday March 30, 2010. The parties remain on course for resolution by plea
22 agreement.

23 3. Defense counsel requires additional time to investigate and counsel their
24 clients including counseling on their potential defenses and options in light of the
25 ongoing plea agreement negotiations. Specifically, defense counsel are researching
26

1 and investigating the issue of victim restitution and related collateral issues, including
2 potential civil claims.

3 4. AUSA Huang has just recently concluded a jury trial and is in the process of
4 preparing authorized plea agreement offers, including obtaining the necessary
5 authorization from the Civil Rights Division in Washington D.C. All three defense
6 counsel will then need time to discuss the final agreements with their respective clients,
7 which will necessarily involve the assistance of interpreters and translators.

8 5. The parties agree the ends of justice served by granting the continuance
9 outweigh the best interests of the public and defendant in a speedy trial. Therefore, the
10 parties further stipulate and request that the Court exclude time between the date of this
11 Stipulation and March 30, 2010 under the Speedy Trial Act for effective preparation of
12 counsel, continuity of defense counsel, and pursuant to 18 U.S.C. §§ 3161(h)(4) and
13 (7)(B)(iv).

14

15 | IT IS SO STIPULATED

16

17 | Dated: February 25, 2010

/S/

DIANA L. WEISS
Attorney for Wei Wei Liang

19

Dated: February 25, 2010

/S/

EDWARD HUNG
Attorney for Bo Shen

Dated: February 25, 2010

/S/

JULES BONJOUR
Attorney for Fang Ping Ding

24

Dated: February 25, 2010

/S/

ANDREW HUANG
Assistant United States Attorney

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ORDER

2 FOR GOOD CAUSE SHOWN, IT IS FOUND AND ORDERED THAT:

3 1. The currently scheduled March 2, 2010, Change of Plea hearing is vacated.

4 || A Change of Plea Hearing is now set for 11:00 a.m. on March 30,2010.

5 2. For the reasons stated in the parties' Stipulation, the ends of justice are
6 served by granting the continuance outweigh the best interests of the public and
7 defendant in a speedy trial.

8 3. Pursuant to 18 U.S.C. §§ 3161(h)(4) and (7)(B)(iv), the time period from the
9 date of this Order to March 30, 2010 is excluded under the Speedy Trial Act to allow for
10 the effective preparation of counsel, taking into account the exercise of due diligence,
11 and continuity of defense counsel.

Dated:3/1/10

Saundra B Armstrong
HONORABLE SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE